

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
JUAN CARLOS RAMIREZ ARGUETA and SANTOS :
CASTELLANOS VELAZQUEZ, *individually and on* :
behalf of others similarly situated, :

Plaintiffs,

-v-

DON FILIPPO RESTAURANT CORP. et al.,

Defendants.
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20-CV-4216 (JPC)

ORDER

JOHN P. CRONAN, United States District Judge:

The Court is in receipt of Plaintiffs' Notice of Acceptance of Offer of Judgment pursuant to Rule 68 of the Federal Rules of Civil Procedure (Dkt. 33), Defendants' Offer of Judgment (Dkt. 33, Exhibit 1), and the parties' proposed Judgment (Dkt. 34). The parties have not, however, filed proof of service of the Notice of Acceptance, as required by Rule 68(a). *See Chiw Yin Chan v. 520 Asian Rest. Corp.*, No. 19 Civ. 9521 (JPC), 2020 WL 7043874 (S.D.N.Y. Dec. 1, 2020). Accordingly, at this time the Court will not direct the Clerk to enter judgment. If Plaintiffs served their notice of acceptance "within 14 days after being served" the offer, they may file such proof of service within one week of the filing of this Order. If the parties instead wish to begin anew the process pursuant to Rule 68(a) so that all Rule 68(a) requirements clearly are met, they are free to do so.

SO ORDERED.

Dated: January 4, 2021
New York, New York



JOHN P. CRONAN
United States District Judge